

Docket No.: 3011-03
File No. 1164.41382PX1

PATENT

REMARKS

Claims 1-47 are pending in this application. Claims 1, 17 and 33 are independent.

Claims 1-33 and 35-47 stand rejected under 35 USC §103(a) as obvious over Knee, et al. (U.S. Patent No. 5,589,892), in view of Chaney, et al. (U.S. Patent No. 5,515,106). Claim 34 stands rejected under 35 USC §103(a) as obvious over the base combination in further view of Voyticky (U.S. Patent No. 6,438,751). The rejections are respectfully traversed.

Claim 1 requires a broadcast station configured to broadcast video programming and a plurality of program identifiers, each of which is uniquely associated with a segment of the broadcast video programming. Also required is that each of multiple user stations be configured to receive the video programming and transmit a first product related request including the unique identifier which is associated with the programming segment to which the first product request relates. Further required is that the broadcast station receive the transmitted first product request and transmit, to the user station from which the request was received, first product data identified based on the unique identifier included in the received product request.

Claim 17 requires that video programming and a plurality of programming identifiers be broadcast over a broadcast system, with each of the programming identifiers uniquely associated with a segment of the broadcast video programming. Also required is that a first product request including the unique identifier associated with the programming segment to which the first product request relates, be received via the broadcast system. Further required is that first product data which is identified

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based on the unique identifier included in the first product request, be transmitted via the broadcast system to the user station from which the first product request was received.

Claim 33 requires a tuner configured to tune to any one of multiple broadcast video channels to receive broadcast video programming and a plurality of programming identifiers, each of which is uniquely associated with a segment of the received video programming. Also required is a display screen configured to display the video programming and a processor configured to generate a product request which includes the unique identifier associated with the programming segment to which the product request relates. The tuner is further configured to transmit this product request.

Accordingly what is required by each of the independent claims, is that an identifier uniquely associated with a particular segment of the broadcast video programming be transmitted with a product request.

The Examiner relies on Knee as disclosing all required features of each of the independent claims other than the transmitting and receiving of the required unique broadcast video program segment identifier. As best understood, the Examiner looks to column 11, lines 54-60, and Figures 1-5 of Chaney as disclosing such a unique identifier, and argues that it would have been obvious to modify Knee to include, transmit and receive Chaney's SCID segment identifiers, so that the system "could efficiently transmit the program information and minimizing the usage system bandwidth".

Chaney's disclosure in dependent claim 8 (column 11, lines 54-60) relates to the special guide packet signal, which is transmitted in segments, with the packet of each

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different segment uniquely identified with a SCID identifier, and transmitted on a different channel from the other segments. It should be also noted that a master guide signal, which includes information identifying and relating the respective segments, is recited in parent claim 6, see column 11, lines 4-45.

As described by Chaney in more detail in column 6, lines 4-7 and 26-55, column 7, lines 21-24 and column 9, lines 16-19, the SCID identifiers, while being uniquely associated with different segments of broadcast video programming, are never transmitted from a user station. Rather, these identifiers are used to allow different segments to be transmitted via different transponders and then recompiled into the program which the user wishes to view. Further still, Chaney fails to suggest that the SCID identifier could be beneficially transmitted by a user station in a product related request, or could be utilized to identify first product data. It is perhaps worthwhile highlighting that the first product data is necessarily different (according to the present claims) from the broadcast video programming with which the identifier is uniquely associated.

Accordingly, although a combination of Knee and Chaney may be motivated for purposes of improving transmission efficiency of broadcast video programming, it is respectfully submitted that there is no motivation within the applied references to modify Knee as proposed, or in a manner which would meet the limitations of the independent claims. Rather, the proposed combination would at best suggest the use of Chaney's technique to broadcast video programming between, for example, the satellite transmitter and receiver 607 of Figure 58 of Knee, to Knee's set top box shown in Figure 1.

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Accordingly, it is respectfully submitted that each of independent claims 1, 17 and 33 patentably distinguish over the applied combination. It is therefore respectfully requested that the rejection of independent claims 1, 17 and 33, and their dependencies, be reconsidered and withdrawn.

It is further respectfully submitted that other features recited in the dependent claims further distinguish over the applied prior art.

For example, claim 2 requires that the first product request relate to the programming segment being received by the user station at the time the first product request is transmitted. Even if Knee discloses a first product request being transmitted at the time the programming segment is received (which is not admitted), the Examiner acknowledges that Knee's product request lacks the required unique identifier. Chaney, as understood, requires that segments be buffered (in order to be compiled based on the SCID identifiers) prior to display, and accordingly could not meet the required limitations of claim 2.

Claim 7 requires that different product data have different screen display definitions. The Examiner points to Figures 22-24 as disclosing the required limitations. However, as taught by Knee in column 7, line 66 through column 8, line 6, the referenced figures simply show certain ordering submenus for a pay-per-view mode of operation, and lack any suggestion of different display definitions.

Claim 8 requires that the first product data be displayed simultaneously with the video programming. The Examiner points to Figure 19, reference numerals 190A, 190B, 190C and 190D as disclosing such simultaneous display. However, as disclosed explicitly in column 7, lines 57-59, Figure 19 depicts only program schedule information,

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and accordingly lacks any suggestion of the recited simultaneous display. It is further noted that in column 19, lines 14-18, it is explicitly disclosed that the content itself for each of the items identified by reference numbers 190A-190D is stored in the database.

Claims 10-13 and 15 also recite features which are believed to be lacking in the applied prior art combinations. Further, dependencies of independent claims 17 and 33 recite limitations similar to those noted above, and are accordingly also believed to be further distinguishable over the applied prior art.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of

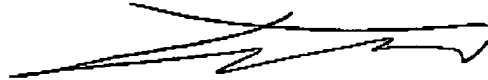
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this paper, including extension of time fees, to the Deposit Account No. 01-2135
(Case No. 1164.41382PX1) and please credit any excess fees to such Deposit
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Respectfully submitted,

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